

JC04 Rec'd PCT/PTO 31 OCT 2005

10/543178

900.45210X00



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Jorgen ZACHARIASSEN et al
Serial No.: 10/543,187
Filed: July 22, 2005
For: METHOD AND SYSTEM FOR GAS STUNNING
OF POULTRY FOR SLAUGHTER
Group: TO BE ASSIGNED
Examiner: TO BE ASSIGNED

SUBMISSION OF INTERNATIONAL SEARCH REPORT

Commissioner for Patents
P.O. Box 145
Alexandria, VA 22313-1450

October 31, 2005

Sir:

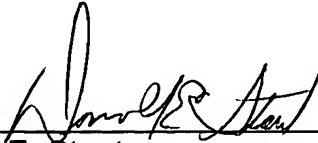
In the matter of the above-identified application, Applicant(s) are submitting herewith a copy of the International Search Report dated April 28, 2004 for the Examiner's consideration. This copy of the International Search Report is being submitted before the mailing date of a first office action on the merits.

WO 94/27425 was previously submitted with the Information Disclosure Statement filed July 22, 2005 and U.S. Patents 6,174, 228 and 5,788,564 were previously submitted with the Information Disclosure Statement filed on September 19, 2005.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (900.45210X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



Donald E. Stout
Registration No. 26,422
(703) 312-6600

Attachments

DES:dlh

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

PCT 14156 PC

To:

*Patrade A/S
Fredens Torv 3A
DK-8000 AARHUS C
DENMARK*

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Applicant's or agent's file reference International application No. <i>PCT/DK 2004/000037</i>	Date of mailing (day/month/year) 28-04-2004 FOR FURTHER ACTION See paragraphs 1 and 4 below International filing date (day/month/year) <i>32.01.2004</i>
Applicant <i>LINCO Food Systems A/S</i>	

1. ☐ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, Facsimile No.: +41 22 740 14 35

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☐ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☐ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.3, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demand is filed within 19 months.

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the *PCT Applicant's Guide*, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/ Facsimile No.	Authorized officer <i>Inger Willén</i> Telephone No.
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PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference P14156PCDK	FOR FURTHER ACTION <small>see Form PCT/ISA/220 as well as, where applicable, item 5 below.</small>	
International application No. PCT/DK 2004/000037	International filing date (day/month/year) 22 January 2004	(Earliest) Priority Date (day/month/year) 22 January 2003
Applicant LINCO FOOD SYSTEMS A/S et al		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 3 sheets.

☒ It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the language, the international search was carried out on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ The international search was carried out on the basis of a translation of the international application furnished to this Authority (Rule 23.1(b)).

b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (see Box No. II)

3. ☐ Unity of invention is lacking (see Box No. III)

4. With regard to the title,

☒ the text is approved as submitted by the applicant.

☐ the text has been established by this Authority to read as follows:

5. With regard to the abstract,

☒ the text is approved as submitted by the applicant.

☐ the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. 1

☒ as suggested by the applicant.

☐ as selected by this Authority, because the applicant failed to suggest a figure.

☐ as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

A. CLASSIFICATION OF SUBJECT MATTER

IPC7: A22B 3/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC7: A22B

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

SE,DK,FI,NO classes as above

Electronic data base consulted during the international search (name of data base and, where practicable, search terms used)

EPO-INTERNAL, WPI DATA, PAJ

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 6174228 B1 (GRIMSLAND ET AL), 16 January 2001 (16.01.2001), column 3, line 67 - column 4, line 19; column 4, line 27 - line 34, figure 1 --	1,2,4
A	WO 9427425 A1 (SUN VALLEY POULTRY LTD), 8 December 1994 (08.12.1994), page 2, line 9 - line 16, claims 17,41 --	1,2,5
A	US 5788564 A (CHAMBERLAIN), 4 August 1998 (04.08.1998), column 2, line 1 - line 6; column 3, line 46 - line 48 --	1,2

☒ Further documents are listed in the continuation of Box C.☒ See patent family annex.

* Special categories of cited documents:

"A" document defining the general state of the art which is not considered to be of particular relevance

"E" earlier application or patent but published on or after the international filing date

"L" document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"O" document referring to an oral disclosure, use, exhibition or other means

"P" document published prior to the international filing date but later than the priority date claimed

"T" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"X" document of particular relevance: the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"Y" document of particular relevance: the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"&" document member of the same patent family

Date of the actual completion of the international search

23 April 2004

Date of mailing of the international search report

28-04-2004

Name and mailing address of the ISA/

Swedish Patent Office

Box 5055, S-102 42 STOCKHOLM

Facsimile No. +46 8 666 02 86

Authorized officer

Magnus Thorén/EK

Telephone No. +46 8 782 25 00

INTERNATIONAL SEARCH REPORT

International application No.

PCT/DK 2004/000037

C (Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	US 6135872 A (FREELAND ET AL), 24 October 2000 (24.10.2000), column 5, line 59 - line 62 --	1,4
E	EP 1405564 A1 (LINCO FOOD SYSTEMS A/S ET AL), 7 April 2004 (07.04.2004), abstract -- -----	1-5,7,8

INTERNATIONAL SEARCH REPORT

Information on patent family members

31/03/2004

International application No.

PCT/DK 2004/000037

US	6174228	B1	16/01/2001	AT	214879	T	15/04/2002
				AU	5350098	A	07/08/1998
				BR	9714209	A	28/03/2000
				CA	2278469	A	23/07/1998
				DE	69711448	D,T	31/10/2002
				DK	961550	T	29/07/2002
				EP	0961550	A,B	08/12/1999
				SE	0961550	T3	
				ES	2174320	T	01/11/2002
				NO	970229	D	00/00/0000
				NO	993196	A	28/06/1999
				PL	185938	B	30/09/2003
				PL	334768	A	13/03/2000
				WO	9831231	A	23/07/1998
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WO	9427425	A1	08/12/1994	AU	6801694	A	20/12/1994
				BR	9406780	A	06/02/1996
				CA	2164114	A	08/12/1994
				CN	1126941	A	17/07/1996
				EP	0701396	A	20/03/1996
				GB	2306096	A,B	30/04/1997
				GB	9311351	D	00/00/0000
				GB	9622812	D	00/00/0000
				HU	73292	A	29/07/1996
				HU	9503451	D	00/00/0000
				PL	311875	A	18/03/1996
				GB	9323066	D	00/00/0000
<hr/>							
US	5788564	A	04/08/1998	CA	2187995	A,C	16/04/1998
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US	6135872	A	24/10/2000	US	6056637	A	02/05/2000
				WO	0137673	A	31/05/2001
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EP	1405564	A1	07/04/2004	NONE			
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WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

E/DK 2004/000037

Box No. I Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐ This opinion has been established on the basis of a translation from the original language into the following language _____, which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ in written format
☐ in computer readable form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in computer readable form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments: